

SENATE BILL 374

By Stewart

AN ACT to amend Chapter 74 of the Private Acts of 2005; and any other acts amendatory thereto, relative to the charter of the city of Manchester.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 4, paragraph 4, of Chapter 74 of the Private Acts of 2005 is amended by deleting the paragraph in its entirety and by substituting instead the following language:

Beginning with the 2012 election held the first Thursday in August, and every two (2) years thereafter in conjunction with the regular August election as this term is defined in Tennessee Code Annotated, Section 2-1-104, the Commissioner of Elections of Coffee County shall conduct an election for the city of Manchester for the election of a Mayor or Aldermen as provided in this section. The mayor, and following the transitional terms, the aldermen, shall be elected to serve a four-year term to expire at noon the first Saturday following the appropriate regular August election at which such officials are elected.

In order to transition from an annual election to the regular August election, the term of the mayor elected in August, 2007 shall be extended to expire at noon the first Saturday following the regular August 2012 election and the election for mayor shall be held at the regular August 2012 election; the term of the two (2) aldermen elected in August 2008 shall be extended to expire at noon on the first Saturday following the regular August 2012 election and the election for such aldermen shall be held at the regular August 2012 election; and the term of the two (2) aldermen elected in August 2010 shall be extended to expire at noon the first Saturday following the regular August

2014 election and the election for such aldermen shall be held at the regular August 2014 election as follows:

(1) At the regular August 2012 election, a mayor shall be elected for a four-year term to expire at noon the first Saturday following the regular August 2016 election.

(2) In addition, at the regular August 2012 election, four (4) aldermen shall be elected and the candidates receiving the three (3) highest number of votes in the election shall be elected for a four-year term to expire at noon the first Saturday following the regular August 2016 election and the candidate receiving the fourth highest number of votes in the election shall be elected to a two-year term to expire at noon the first Saturday following the regular August 2014 election.

(3) At the regular August 2014, three (3) aldermen shall be elected and the candidates receiving the three (3) highest number of votes in the election shall be elected to a four-year term to expire at noon the first Saturday following the regular August 2018 election.

(4) At the regular August 2016 election, and every four (4) years thereafter, a mayor and three (3) aldermen shall be elected to serve a four-year term, and at the regular August 2018 election, and every four (4) years thereafter, three (3) aldermen shall be elected to serve a four-year term. The terms of each such officials shall expire at noon the first Saturday four (4) years following the regular August election at which such officials are elected.

SECTION 2. Paragraph 5 of Section 4 of the Private Acts of 2005 is amended by deleting the last sentence in its entirety.

SECTION 3. Section 4 of Chapter 74 of the Private Acts of 2005 is further amended by adding the following language as a new paragraph:

Upon the adoption of this act by the board of mayor and alderman, any person holding the office of alderman on such date or thereafter elected to the office of alderman shall be immediately disqualified to continue holding the office of alderman

upon qualification with the county election commission as a candidate for the office of mayor of the city of Manchester.

SECTION 4. The third paragraph of Section 5 of the Private Acts of 2005 is amended by deleting the second sentence in its entirety and by substituting instead the following language:

The Mayor shall hold office for four (4) years and following the transition period in accordance with Section 4; the Aldermen shall hold office for four (4) years, or until their successors are elected and qualified.

SECTION 5. The first sentence of the second paragraph of Section 17 of the Private Acts of 2005 is amended by deleting the sentence in its entirety and by substituting instead the following language:

Each member of the Board of Education shall serve for a term of four (4) years, or until his or her successor is appointed and qualified with the term expiring at noon on the first Saturday following the appropriate regular August election. In order to transition from a biennial election held in odd-numbered years to the regular August election, the term of Board of Education members elected to seats 1 and 2 in the August 2007 election shall be extended to expire at noon on the first Saturday following the regular August 2012 election and the terms of Board of Education members elected to seats 3, 4, and 5 in the August 2009 election shall be extended to expire at noon on the first Saturday following the regular August 2014 election. The election for the Board of Education seats 1 and 2 shall be held in conjunction with the regular August 2012 election and every four (4) years thereafter, and the election for the Board of Education seats 3, 4, and 5 shall be held in conjunction with the regular August 2014 election and every four (4) years thereafter.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the city of Manchester. Its approval or nonapproval shall be proclaimed by the presiding officer of the city of Manchester and certified to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.